

Wetlands Bureau Decision Report

Decisions Taken
08/15/2011 to 08/21/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2008-02217 RAGGED MOUNTAIN PACIFIC LLC, ATTN GERALD JACKSON
DANBURY Unnamed Wetland

Requested Action:

Applicant requests an amendment to the permit and conditions in response to a lagging economic environment and the need to construct the permanent water withdrawal pipe.

APPROVE AMENDMENT:

Amend permit to read:

Permanently impact 9.32 acres of wetlands including 8,375 linear feet of stream channel; impact .91 acres of wetlands for temporary impacts; and provide improved fish passage at the existing West Brook culvert under Ragged Mountain road for the redevelopment of an existing golf course and ski area and subdivide and develop 120 residential units. Mitigate for the proposed impacts by enhancement and restoration of 19.9 acres of wetlands and uplands, create 9 vernal pools, enhance approximately 19,005 linear feet of perennial and intermittent stream channels, and preserve approximately 1300 acres of upland and wetland by conservation easements and restrictions.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Horizon's Engineering dated October 2008, and revised through September, 2009 as received by the Department on November 10, 2009. In addition, work shall be in accordance with the Department of the Army, Corps of Engineers amendment and revised plan sheets including the revisions showing vernal pool locations and buffers dated received March 8, 2010. Compensatory mitigation shall be in accordance with plans dated September 24, 2009 as noted as the Ragged Mountain Resort Final Compensatory Wetland Mitigation Design and Monitoring Plan (hereinafter "CWMP").
2. The permittee shall designate a qualified professional, Wetland Mitigation Specialist, who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
3. All activity shall be in compliance with the Shoreland Protection Act RSA 483-B.
4. This permit is contingent on approval by the DES Alteration of Terrain.
5. This permit is contingent on approval by the DES Groundwater Bureau.
6. The applicant will comply with the provisions of the Section 401 Water Quality certification upon its issuance and noncompliance shall be considered a violation of the conditions of this permit.
7. A water quality and quantity monitoring program will be developed and implemented in accordance with requirements established by NHDES, Watershed Management Bureau.
8. This permit is contingent on approval by the DES Dam Safety.
9. This permit is contingent on approval by the DES Wastewater Bureau.
10. This permit is contingent on completion of the Land Transfer between the permittee and NH Fish and Game Department, upon the beginning of construction of the residential development or golf course.
11. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the Phase 1 Development Area.
12. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #11 of this approval.
13. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to the start of construction.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
15. Construction in cold water fishery streams shall not occur between October 1 and May 31 to minimize impacts to the fishery resource during spawning season.
16. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans.

Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

17. At least 72 hours prior to the start of construction, of each phase of construction (the snow withdrawal pipe, golf course construction, residential development construction) a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and other NHDES permits. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

18. The permittee shall notify DES and the Danbury Board of Selectmen in writing of their intention to commence construction no less than 5 business days prior to construction.

19. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.

20. All wetlands approved to be impacted by construction shall be re-flagged during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.

21. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or the agreed upon buffer areas.

22. Work within perennial streams shall be done during low flow.

23. Work within the snowmaking pond shall be done under drawdown conditions

24. Work within intermittent streams shall be done during periods of non-flow.

25. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.

26. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that Env-Wq 1700 is met at all times and water exceeding those rules shall not occur outside of the immediate dredge area. Turbidity controls shall remain in place until suspended particles have settled and the water at the work site has returned to within 10 NTU's of background.

27. Underground utilities shall cross perennial streams as temporary impacts in the narrowest footprint necessary. The removal of native vegetation shall be limited to the minimum necessary, and vegetation shall be stockpiled. Stream banks shall be restored to original grades, a stable condition and shall be restored to the same as or better than pre-construction conditions utilizing the existing stockpiled vegetation. Vegetation may be supplemented, if necessary, with native like vegetation.

28. Boardwalks shall be installed in accordance with the detail on sheet 53 of the June 8, 2009 revised plan set and shall have a minimum clear span of 3 feet from the bottom of the boardwalk deck to the existing ground elevation.

29. There shall be no temporary impacts associated with the installation of the boardwalks and equipment shall be sited outside of wetlands or on the constructed boardwalk.

30. The mitigation specialist will coordinate with the contractor and golf course designer to identify areas for plant salvaging. These shall identify and stockpile suitable native vegetation from impact areas for use within the proposed enhancement/mitigation areas.

31. The areas of stream enhancement shall have no soil disturbance and no disturbances of substrates or topography. No stumps or root systems shall be pulled or removed from these areas.

32. Prior to commencing work on a structure located within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.

33. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

34. Work within a perennial stream or Bog Pond, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

35. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

36. Temporary cofferdams shall be entirely removed immediately following construction of the structure below the high water line.

37. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless otherwise specified.

38. Culvert inverts shall be installed at existing grades unless otherwise allowed by this permit.

39. Proper headwalls shall be constructed within seven days of culvert installation.

40. Areas of temporary construction impact shall be regraded to original contours within 3 days of the installation of the water withdrawal pipe line.

41. Mulch within restoration areas shall be straw.

42. Seed mix within the restoration areas shall be as specified in the CWMP.
43. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
44. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
45. Where construction activities not adjacent to wetlands have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
46. Where construction activities not adjacent to wetlands have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
47. Silt fencing must be removed once the area is stabilized.
48. This permit is contingent upon the construction of nine shallow pools, proposed to function as vernal pools.
49. There shall be three shallow ponds constructed on the east side of the abandoned golf course and two pools constructed on the west side of the abandoned golf course.
50. There shall be three shallow ponds in Parcel A, and one in the vicinity of VAH1 in order to provide alternate breeding habitat for amphibians.
51. There shall be no curbing installed on roadways within the 750 foot critical habitat zone of the vernal pools on site.
52. There shall be no lawns, fertilizer, or pesticide use within 100 feet of the vernal pools.
53. Surface water shall only be withdrawn from Bog Pond between November 15 and January 31, for the proposed snowmaking.
54. There shall be a no disturbance area located within twenty (20) feet of an existing perennial stream and no non-native trees, shrubs or ground cover shall be planted within this no disturbance area.
55. All crossings over perennial streams shall be open spanning bridges with a minimum of 10 feet on either side of the stream.
56. The declaration of covenants conditions and restrictions for the phase one subdivision shall run with the land and shall be binding on all successors, assigns, heirs, lien holders and any other person holding an interest in the lots and shall run with the land for the benefit of all other lots within the phase one subdivision.
57. No part of a disturbance area on a lot shall be located within (50) feet of the ordinary high water mark of a perennial stream.
58. There shall be a minimum 5 foot buffer of 3-5 foot high vegetation left to all intermittent streams within the proposed golf course area.
59. There shall be a minimum 20 foot buffer of 3-5 foot high vegetation left to all perennial streams within the proposed golf course area.
60. Synthetic fertilizers and pesticides may not be applied on any lot.
61. Native trees shrubbery and groundcover may not be clear-cut outside of the Disturbance Area on any lot. Dead diseased vegetation trees or shrubbery and noxious weed shall be removed as required.
62. Only 6 foot wide trails shall be cut within the fifty (50) foot buffer area along the perennial streams.
63. The applicant shall restore fish passage to the "West Brook" by correcting the situation at the existing culvert under Ragged Mountain Road. This shall be done based on input from the Technical Advisory Group.
64. The NH Fish and Game and NH DES Wetlands shall review and provide written approval of the plans to restore fish passage to the "West Brook" by correcting the existing culvert under Ragged Mountain Road.
65. This permit is contingent upon the enhancement of 19.9 acres of existing wetland currently used for the existing golf course.
66. Mitigation areas where the turf is dense, such as fairways, greens and tees shall be tilled to 4-6 inches to break up the root mat. Irregularities shall be allowed to remain and will aid in the development of micro relief.
67. The designated existing boardwalks and cart paths shall be removed to expose the underlying substrates to the sunlight, support posts shall be pulled where disturbance will be minimal. In areas where the disturbance is excessive then posts will be cut flush with the existing grade and left in place.
68. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
69. The wetland enhancement areas shall be seeded with a wetland seed mix and mulched with straw or seedless hay to stabilize and the soil and allow local species to colonize.
70. Wetland restoration/enhancement areas shall be in accordance with the CWMP and be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
71. The mitigation specialist shall conduct a follow-up inspection after the first growing season, to review the success of the

mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the mitigation.

72. Wetland restoration/enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

73. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.

74. All mitigation work shall be in accordance with plans and narrative by Normandeau Associates dated September 2009.

75. The Mitigation Specialist will be on-site to monitor construction at critical periods, including but not limited to grading, seeding, and pool excavation, and to make any adjustments as appropriate to meet the mitigation goals.

76. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.

77. The mitigation earthwork shall be performed during the dry portion of the summer and mitigation work shall be seeded and completed in an expeditious manner, by September 15.

78. The schedule for construction of the mitigation area shall coincide with the reconstruction of the golf course unless otherwise considered and authorized by the Wetlands Bureau.

79. The construction of the mitigation area including the vernal pool on Parcel A shall be completed within 18 months of the commencement of the first phase of the residential development.

80. Prior to the start of construction, the permittee shall provide \$162,000 financial guaranty, in the form of a bond, cash escrow or letter of credit, in Favor of the Army Corps of Engineers for improvements. An executed copy of the guaranty shall be submitted to NHDES permit number 2008-2217, prior to the start of construction.

81. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

82. The Permittee shall submit a post-construction report, prepared by the mitigation specialist, including an as built plan, documenting the status of the completed mitigation area. This report should include recommendations and field adjustments made. The report should also include locations of photographs and future monitoring and control sites within the mitigation area. This report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction of the mitigation.

83. No motorized vehicles shall be utilized within the mitigation area except as necessary for access and maintenance of existing infrastructure within the mitigation area.

84. This permit is contingent upon the enhancement of approximately 19,005 linear feet of intermittent (4,175) and perennial (14,830) stream channel currently cleared for the existing golf course.

85. The areas of proposed stream enhancement shall have a minimum width of 20 feet from the edge of jurisdiction.

86. The mitigation specialist or a designee shall assess each stream enhancement area at the beginning of construction and provide a report within 30 days of the stream assessment including any possible dredge and fill associated with the removal of existing structures, each area determined to be unstable, and the methods proposed to stabilize the area and the timing and installation of these measures.

87. The qualified professional shall provide monitoring reports of the stream assessment. These reports shall include photographs, follow-up measures and a schedule for completing the remedial work. The reports shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial stream assessment.

88. Once established there shall be no disturbance within the twenty (20) foot stream enhancement areas and no non-native trees, shrubs or ground cover shall be planted within these enhancement areas.

89. Care shall be taken to limit the spread or growth of loosestrife or other invasive species on the site. This shall be accomplished by educating contractors to reduce the risk of transportation of seeds in construction equipment and quick seeding of open substrates. Should invasives become established they shall be controlled by pulling seedlings, deadheading and herbicide.

90. The stand of *Phragmites* adjacent to West Brook shall be excavated and treated within the first year of construction. The applicant shall continue to monitor this area and provide monitoring reports annually for the duration of the permit, or at least 5 years. If the species should reestablish further action or remediation may be required at the request of DES.

91. This permit is contingent upon the applicant placing approximately 1,300 acres of upland and wetland under conservation easements and/or conservation restrictions, as depicted on plans submitted to DES in September, 2009.

92. Copies of the executed and recorded conservation easements and/or conservation restrictions shall be submitted to the Department prior to the start of construction.

93. The conservation easements and/or conservation restrictions to be placed on the preservation areas shall be written to run with

the land, and both existing and future property owners shall be subject to this easement.

94. All areas subject to conservation easements and/or conservation restrictions shall be shown on plans recorded with the Merrimack County Registry of Deeds Office and copies of the recorded plans shall be submitted to the Department prior to the start of construction.

95. Signs to indicate the location of and restrictions on the area shall be posted along the boundary of the conservation areas prior to construction in a manner that sufficiently demarcates the area from surrounding development.

96. The applicant shall prepare a report summarizing existing conditions within the conservation areas. Said report shall contain photographic documentation of the conservation areas, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the conservation areas.

97. The conservation areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

98. The Wetlands Bureau shall be notified of the placement of the conservation area monuments to coordinate on-site review of their location prior to construction.

99. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited. The foregoing prohibition shall not pre-empt the Grantor's exercise of the reserved rights in the conservation easement(s) and/or conservation restriction(s).

100. Activities in contravention of the conservation easement and/or conservation restrictions shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

DES reaffirms the original findings of the permit:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. DES Staff conducted field inspections of the proposed project on May 12, 2008, and July 29th and 30th. Field inspection determined the wetland areas within the existing golf course have been historically disturbed. The proposal will remove the high intensity use areas further away from the high quality Bog Pond habitat.

6. The proposal will move the existing golf course an additional 700 feet further away from Bog Pond as compared to the existing golf course. Bog Pond is an existing Tier one habitat in the NH Fish and Game Wildlife Action Plan.

7. All perennial stream crossings will be bridged from the top of bank to the top of bank within the golf course area.

8. Perennial streams that are currently culverted will be restored to their natural state with a 10-foot flood buffer to either side.

9. The developer proposes a 50-foot setback from the ordinary high water mark of all perennial streams to roads and buildings.

10. Lot building areas will be defined for each lot and no tree cutting or alteration of natural vegetation shall be cut outside of that area.

11. The project site has 156 acres of wetlands and 17 miles of stream channel, the proposal is to impact 7.37 acres and 9042 linear feet of stream, that is 4.6% of the wetlands on site and 10% of the streams on site.

12. The proposed project will have limited if any impact on the 3 on site vernal pools by maintaining appropriate envelopes to the development.

13. The applicant is proposing to construct 3 shallow depressions on parcel A to mitigate upland habitat loss for impacts to the vernal pool at this site.

14. The proposed project area was screened for rare state and federally listed species, migratory fish and wildlife or exemplary natural communities identified by Natural Heritage Bureau on September 19, 2008. No known species are expected to be impacted by this project.

15. There are no proposed direct impacts to the vernal pools on site.

16. The applicant will place 80% of the land associated with the project into permanent conservation easement, under the stewardship of the Society of the Protection of NH Forests.

17. The applicant is placing 1670 acres into permanent easement under the stewardship of the Society for the Protection of NH Forests.

18. The applicant is proposing a state of the art wastewater treatment system, runoff treatment and has prioritized water conservation

on the site.

19. The wetlands proposed to be impacted by the golf course are previously impacted areas that were originally agricultural fields prior to jurisdiction and were converted to a golf course in the mid 1990's.
 20. The proposed road layout was done in such a way that the design is attempting to maintain similar flows to all drainages on site and to maintain the current flow paths.
 21. NH Fish and Game personnel have noted that once restored the 41.1 acre parcel will provide high habitat value for American woodcock, beaver and muskrat.
 22. The proposal has a net gain of streamside woody vegetation in the golf course area.
 23. The proposed wetland enhancement/restoration area abuts the Danbury Bog Wildlife Management Area and will enhance that existing system.
 24. The removal of the golf course from the wetland will improve the water quality by providing a greater treatment area and decreasing nutrient loading prior to reaching Bog Pond.
 25. The Town of Danbury has approved the proposed development concept.
 26. Sustainable fertilizing and pesticide management will reduce the potential of run off from the proposed golf course.
 27. The applicant will allow the woody cover over the stream channels will stabilize the stream banks and limit bank erosion during high flows.
 28. The proposed mitigated wetland will increase their productivity and export to adjacent systems.
 29. The applicant performed an adequate screening process to identify alternatives that could potentially satisfy the project purpose and summarized environmental consequences of each alternative. As a result of the screening process, a reasonable range of alternatives was selected for analysis.
 30. The proposed project is the large scale re-development of an existing ski area and golf course.
 31. The applicant will remove golf play from 20 acres of wetlands.
 32. The applicant has met the requirements of Env-Wt 304.09(a).
 33. The applicant has met the requirements of Env-Wt 304.09(c).
 34. The applicant has received an Alteration of Terrain permit indicating that stormwater will be treated and detained in accordance with the current standards.
 35. This permit is contingent upon the receipt of a Section 401 Water Quality Certificate that will be reviewed and monitored by NHDES Watershed Management Bureau.
 36. The applicant has provided a waiver request per Env-Wt 204.03, to waive the 5 year permit duration as required by Env-Wt 502.01.
 37. The applicant has requested this change in order to match both the duration of the town/local permits and the Section 404 Federal Permit.
 38. It would be an economic hardship for the owner have to update the state permit while the federal and local permits would be in place.
 39. The applicant has provided higher quality waste water facilities than NHDES requires.
 40. The applicant has provided for buffers to the streams and limited the lawn areas on the lots to protect the water quality.
 41. The applicant has increased the cover over the perennial and intermittent streams on the site.
 42. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 502.01.
 43. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
 44. The Wetlands Bureau has not received any letters or significant numbers of phone calls from the general public indicating a substantial public interest. The applicant has had several public hearings in the town of Danbury with limited attendance.
 45. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resources, as identified under RSA 482-A:1.
- And makes the following additional finding:
46. The applicant has provided property owner permission for the work on NH Fish and Game land.

2009-02713 ELECTROCRAFT NEW HAMPSHIRE INC, JAMES ELSNER
DOVER Unnamed Wetland

Requested Action:

Amend permit to include replacement-in-kind of existing driveway culvert carrying wetlands drainage with a 36" x 60' HDP culvert with 5' flared end caps, impact in same foot print as existing, approximately 250 square feet.

APPROVE AMENDMENT:

Temporarily impact 38,544 sq. ft. of wetlands for the installation of In Situ Heating Thermal Desorption equipment to remediate site contamination of tetrachloroethylene, in coordination with the requirements of the DES Waste Management Division.

AMENDED: Replace in-kind existing driveway culvert carrying wetlands drainage with a 36" x 60' HDP culvert with 5' flared end caps, impact in same foot print as existing, approximately 250 square feet.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by NHSC Inc. dated 10/2009, as received by DES on 11/12/2009, and per materials by Normandeau Associates dated 6/17/2011 received 8/8/2011 by DES.
- 1.a. AMENDED: This amendment is contingent upon receipt of culvert elevational detail sketch.
2. This permit is contingent adherence to project requirements approved by the DES Waste Management Division.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours following completion of work.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or matting and pinning on slopes steeper than 3:1.
8. Wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
9. Wetland restoration areas shall be properly planted and monitored, and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
10. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
11. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining the status of the restoration area and any follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of each mitigation site.
12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
13. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. Slight increase in pipe dimension from 28 inches to 36 inches is environmentally beneficial and does not exceed the intent of in-kind replacement.
2. This request does not represent a significant amendment pursuant to RSA 482-A:3, XIV(e).

Requested Action:

Replace twin 36 in. x 60 ft. culverts with a 71 in. wide x 47 in. high x 60 ft. squash pipe embeded one foot and reconstruct headers temporarily impacting 448 sq. ft. of riverine and palustrine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. and River Advisory Comm. - no comments.

APPROVE PERMIT:

Replace twin 36 in. x 60 ft. culverts with a 71 in. wide x 47 in. high x 60 ft. squash pipe embeded one foot and reconstruct headers temporarily impacting 448 sq. ft. of riverine and palustrine wetlands. NHDOT project #M215-19.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 7-6-10 revised 5-2-11 as received by the Department on May 23, 2011.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
7. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), replacement of a stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff review of the information provided in the application determined the project is classified as a major project only due to the proximity to a designated river.
6. The applicant has addressed rule Env-Wt 904.09(a) regarding an alternative design.
7. The file contains no comments from the Conservation Commission or the Local River Advisory Committee.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine/palustrine resource, as identified under RSA 482-A:1.

Requested Action:

Impact a total of 4,094 sq. ft. in a previously disturbed 100 foot buffer area adjacent to a designated prime wetland for the expansion on an existing building and construction of a bank drive-thru lane and a supporting retaining wall. In addition, an existing nearby deteriorated headwall and culvert outlet will be reconstructed to restore its function.

Conservation Commission/Staff Comments:

The Nashua Conservation Commission recommends approval of the project with stipulations which have been included in the project specific conditions on the permit.

APPROVE PERMIT:

Impact a total of 4,094 sq. ft. in a previously disturbed 100 foot buffer area adjacent to a designated prime wetland for the expansion on an existing building and construction of a bank drive-thru lane and a supporting retaining wall. In addition, an existing nearby deteriorated headwall and culvert outlet will be reconstructed to restore its function.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 31 May 2011, as received by the NH Department of Environmental Services (DES) on June 03, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Nashua Conservation Commission shall be notified in writing ten (10) days prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
8. Work shall be done during low flow conditions.
9. The deed for Tax Map B, lots 83 & 204 having any portion within the 100 foot Prime Wetland Buffer or Prime Wetland shall include the conditions of this permit.
10. The boundaries of the 100-foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
11. The boundaries of the 100-foot prime wetland buffer shall be permanently and clearly marked with signs every 75 feet to indicate the location of and restrictions on the area.
12. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100-foot prime wetland buffer outside of the approved work area. The placement of fill, construction of structures, or storage of vehicles or hazardous materials is prohibited outside of the approved work area.
13. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by DES, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
14. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau and the Nashua Conservation Commission within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 05, 2011. Field inspection determined this project will have no adverse affect on the designated prime wetlands associated with Salmon Book.
6. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
7. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
8. The approved plans and conditions of the permit provide for a 50-foot undisturbed buffer around the Prime Wetland area.
9. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
10. Based on the inspection conducted on August 05, 2011 by DES Wetlands Bureau Southeast Region staff, the project involves only minimum environmental impacts.
11. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the designated prime wetlands resource, as identified under RSA 482-A:1.
12. Based on the above findings, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

MINOR IMPACT PROJECT

2009-00233 **CONATY, WILLIAM & SUE**
SUNAPEE Lake Sunapee

Requested Action:

Retain a seasonal boatlift and canopy, install a second seasonal boatlift and two seasonal, personal watercraft lifts, construct a 6 ft x 26 ft seasonal pier to be connected to the existing 8 ft x 37 ft 3 in crib pier by a proposed 6 ft x 10 ft seasonal walkway on an average of 200 ft of frontage on Lake Sunapee.

Conservation Commission/Staff Comments:

Con Com submitted comments with no concerns

APPROVE PERMIT:

Retain a seasonal boatlift and canopy, install a second seasonal boatlift and two seasonal, personal watercraft lifts, construct a 6 ft x 26 ft seasonal pier to be connected to the existing 8 ft x 37 ft 3 in crib pier by a proposed 6 ft x 10 ft seasonal walkway on an average of 200 ft of frontage on Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised March 21, 2009, as received by the NH Department of Environmental Services (DES) on April 29, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal structures shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 37 ft 3 in from the shoreline at full lake elevation.
6. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.

7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), alteration of a 3 slip, permanent docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 200 feet of shoreline frontage along Lake Sunapee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The proposed configuration will have 6 fewer sq ft of impact than the alternative of constructing a second, independent pier.
9. The proposed configuration will have 6 fewer linear ft of bank disturbance than the alternative of constructing a second, independent pier.
10. The Applicant has met the criteria of Rule Env-Wt 204.04, Criteria, for a waiver of Rule Env-Wt 402.21, Modification of Existing Structures.

2010-02013 RIZZO, PETER
ROCHESTER Unnamed Wetland

Requested Action:

Approve name change to: Peter Rizzo, 510 Sixth St., Dover NH 03820. Previous owner: Raymond Green Inc. Investment Limited Partnership.

Conservation Commission/Staff Comments:

Con. Com. does not object to application.

APPROVE NAME CHANGE:

Fill 904 sq. ft. of wetland and installation of a 24 inch x 40 foot HDPE culvert to construct a driveway to serve a single-family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated July 1, 2010, as received by the NH Department of Environmental Services (DES) on July 27, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2011-00330 LYME, TOWN OF
LYME Hewes Brook

Requested Action:

Amend permit to allow sliplining the culverts followed by concrete spraying.

APPROVE AMENDMENT:

Impact 1,130 square feet of Hewes Brook, a perennial stream, to repair two 72" culverts. Impacts included 360 square feet for the repair the culverts, 70 square feet for refacing the culvert headwalls, and 700 square feet of temporary jurisdictional stream impacts for water diversion during construction.

With Conditions:

1. All work shall be in accordance with plans by Eckman Engineering, LLC entitled Proposed Culvert Rehabilitation Goose Pond Road Over Hewes Brook Site 2 (WIP-1; C-1; D-1; D-2; D-3) dated December 22, 2010 as received by DES on February 09, 2011 as amended by a narrative received by DES on August 15, 2011.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
6. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
14. No equipment shall enter the water.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

22. Additional requests to dredge and/or fill in this area for repairs, replacement or road upgrades resulting from erosion or washouts shall not be considered or approved until a complete drainage analysis and assessment has been conducted by the applicant to determine if there is a more effective and practicable crossing design.
23. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

DES reaffirms findings 1 through 4 with additional findings:

1. This project is classified as a minor project per Rule Env-Wt 303.03 (l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Several Town of Lyme employees and residents gave testimony stating that they have never known this section of road to flood or have Hewes Brook over flow on to the roadway.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. On August 01, 2011 DES received a proposed amendment request.
6. The agent stated that when the contractor started work on the culverts, the deterioration extended further up the culvert sides and the contractor was not comfortable with the approved invert paving repair.
7. To help accommodate aquatic organism passage concrete will be sprayed on the culvert bottom.

2011-00781 ATTIA, RAFIK
NEW DURHAM Merrymeeting Lake

Requested Action:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 10 ft seasonal walkway, two seasonal personal watercraft lifts, and a seasonal boatlift, impact 520 sq ft to construct a perched beach, relocate an existing shed, stabilize 230 sq ft of bank, and restore 510 sq ft of previously impacted area with native vegetation, on an average of 193 ft of frontage on Merrymeeting Lake, in New Durham.

Conservation Commission/Staff Comments:

No comments from Con Com by May 31, 2011

APPROVE PERMIT:

Install two 6 ft x 40 ft seasonal piers connected by a 6 ft x 10 ft seasonal walkway, two seasonal personal watercraft lifts, and a seasonal boatlift, impact 520 sq ft to construct a perched beach, relocate an existing shed, stabilize 230 sq ft of bank, and restore 510 sq ft of previously impacted area with native vegetation, on an average of 193 ft of frontage on Merrymeeting Lake, in New Durham.

With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates revision dated July 27, 2011, as received by the NH Department of Environmental Services (DES) on July 28, 2011.
2. No work is authorized to the existing permanent 10 ft x 21 ft dock accessed by a 7 ft x 15 ft 6 in walkway under this approval.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
4. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal structures shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. All dredged or excavated material and construction related debris shall be placed outside of the DES Wetlands Bureau

jurisdiction.

9. No stumps shall be removed within 50 feet of the reference line per RSA 483-B.
10. The steps installed for access to the water shall be located completely landward of the normal high water line.
11. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
12. This permit shall be used only once, and does not allow for annual beach replenishment.
13. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
14. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
15. Shoreline stabilization work shall be done during drawdown.
16. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the minimum impact criteria for docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 193 feet of shoreline frontage along Merrymeeting Lake.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2011-01252 NH DEPT OF TRANSPORTATION
HAVERHILL Unnamed Wetland

Requested Action:

Stabilize a failing roadway slope, replace leaning guardrail and construct drainage impacting 12,176 sq. ft. (1,415 sq. ft temporary) of palustrine wetlands. Compensatory mitigation is through a payment to the Aquatic Resource Mitigation fund.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

River LAC - no comments

APPROVE PERMIT:

Stabilize a failing roadway slope, replace leaning guardrail and construct drainage impacting 12,176 sq. ft. (1,415 sq. ft temporary) of palustrine wetlands. Compensatory mitigation is through a payment to the Aquatic Resource Mitigation fund. NHDOT project #14154.

With Conditions:

1. All work shall be in accordance with plans dated 05/10 by NHDOT Bureau of Environment, as received by the Department on June 1, 2011.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall be complete and shall include details regarding the timing and method of flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
11. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
12. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
13. The impacts associated with the temporary work shall be restored immediately following construction.
14. This approval is contingent on receipt by DES of a one time payment of \$35,171.43 to the DES Aquatic Resource Mitigation (ARM) Fund, specifically the Connecticut River from Johns River to Waits River watershed. DES shall receive the payment within 120 days of the date of the approval letter.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated through the Natural Resource Agency monthly meetings and discussed on April 16, 2008 and May 18, 2011. After considering other limiting factors and consulting with state and federal Natural Resource Agencies, it was determined that an in-lieu fee payment to the Aquatic Resource Mitigation fund will result in the most benefit to the watershed.
6. Information from the NH Natural Heritage Bureau indicates that although there was a record in the vicinity, the project is not expected to have any impact.

2011-01521 OLSEN, KENNETH
GILFORD Lake Winnepesaukee

Requested Action:

Completely remove all existing docking structures on the frontage, construct a 6 ft x 48 ft piling supported dock connected to a 6 ft x 36 ft piling supported dock by a 6 ft x 25 ft piling supported walkway, install 2 permanent boatlifts in the center 2 slips, install 6 tie off piles, and two, 3 pile ice clusters on an average of 256 ft of frontage on Governor's Island, Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com comments 1) clarify ownership of property
2) distances from shore to ice clusters

APPROVE PERMIT:

Completely remove all existing docking structures on the frontage, construct a 6 ft x 48 ft piling supported dock connected to a 6 ft x 36 ft piling supported dock by a 6 ft x 25 ft piling supported walkway, install 2 permanent boatlifts in the center 2 slips, install 6 tie off piles, and two, 3 pile ice clusters on an average of 256 ft of frontage on Governor's Island, Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by John St John dated May 2011, as received by the Department on June 27, 2011.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The existing docking structures shall be completely removed from the waterbody prior to any work to install the permitted docking structure.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. This permit does not allow for the removal of any trees on the frontage.
9. The dock shall not extend more than 48 ft lakeward at full lake elevation of 504.32.
10. The minimum clear spacing between piles shall be 12 feet.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(c), construction of a dock which exceeds minimum impact criteria.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 256 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The proposed permanent docking structure meets the fetch requirements of Env-Wt 402.06.
9. The Gilford tax card indicates the correct owner and address information, thus addressing the local Conservation Commission's concerns.
10. The approved plan is drawn to scale, clearly indicating the location of the ice clusters, therefore addressing the Conservation Commission concerns.

2011-01595 CITY OF DOVER
DOVER Unnamed Wetland

Requested Action:

Impact a total of 4,082 square feet of wetlands over a total of eight locations for drainage improvements within the Applevale neighborhood of Dover, consisting of road and side walk construction, drainage pipe and outlet repairs, swale maintenance, and pipe removal and stream restoration.

APPROVE PERMIT:

Impact a total of 4,082 square feet of wetlands over a total of eight locations for drainage improvements within the Applevale neighborhood of Dover, consisting of road and side walk construction, drainage pipe and outlet repairs, swale maintenance, and pipe removal and stream restoration.

With Conditions:

1. All work shall be in accordance with plans by plans by Stantec Consulting Services dated May 2011 as received by DES on

7/5/2011.

2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects that involve less than 20,000 square feet of alteration in the aggregate of non-tidal wetlands which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project represents necessary upgrades to existing stormwater system and city infrastructure.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, while there is a record of an occurrence of a species of concern in the project vicinity, it is not expected to be impacted by the project.
5. Dover Conservation Commission recommends approval of the project.

2011-01596 PLAINFIELD, TOWN OF
PLAINFIELD Willow Brook

Requested Action:

Dredge and fill 1,560 square feet of the bed and banks of Cole Brook and Hibbard Brook, perennial streams, to replace two existing culverts with 12 foot wide natural bottom spanning bridges. 1,445 square feet of the impacts will be temporary.

APPROVE PERMIT:

Dredge and fill 1,560 square feet of the bed and banks of Cole Brook and Hibbard Brook, perennial streams, to replace two existing culverts with 12 foot wide natural bottom spanning bridges. 1,445 square feet of the impacts will be temporary.

With Conditions:

1. All work shall be in accordance with plans by L.C. Engineering Company, LLC entitled Hibbard Brook Culvert Replacement (Sheets 1-11 of 11) and Cole Brook Culvert Replacement (Sheets 1-11 of 11) dated June 30, 2011 as received by the Department on July 11, 2011.
2. Work shall be done during low flow.
3. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site

has returned to normal clarity.

7. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
8. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
10. Materials used to emulate a natural channel bottom beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
15. Areas of temporary impact shall be restored to original conditions following the completion of work.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a major project per Administrative Rule Env-Wt 303.02 (p) Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The culvert replacements are part of an overall FEMA project to preserve Willow Brook Road, which has been subject to numerous flood events in recent history
6. A licensed professional engineer indicated that the proposed structures will convey the 100-year storm event.
7. No comments were submitted from the NH Natural Heritage Bureau.
8. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2011-01723 COLD RIVER MATERIALS
WESTMORELAND Unnamed Stream

Requested Action:

Temporarily impact \pm 100 sq. ft. of intermittent stream to remove existing stone crossing and restore stream bed and banks.

APPROVE PERMIT:

Temporarily impact \pm 100 sq. ft. of intermittent stream to remove existing stone crossing and restore stream bed and banks.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC dated July 14, 2011, as received by the Department on July 20, 2011.
2. Work shall be done during periods of non-flow.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The recreated stream channel bed must maintain the natural and a consistent stream bed elevation and not impede stream flow.
12. Stream banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
13. Only native plant species shall be utilized to renegotiate the riverbank.
14. Materials used to emulate a natural channel bottom must be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
15. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
16. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.
17. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the stream restoration area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of intermittent stream impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-01762 HILLSBOROUGH, TOWN OF
HILLSBOROUGH Sand Brook

Requested Action:

Dredge and fill \pm 333 sq. ft. and temporarily impact \pm 1,991 sq. ft. of Sand Brook and associated wetlands to replace the existing Gould Pond Road 96-in CMP culvert with a 15-ft. bridge (13-ft. span over brook).

APPROVE PERMIT:

Dredge and fill \pm 333 sq. ft. and temporarily impact \pm 1,991 sq. ft. of Sand Brook and associated wetlands to replace the existing Gould Pond Road 96-in CMP culvert with a 15-ft. bridge (13-ft. span over brook).

With Conditions:

1. All work shall be in accordance with plans by Christopher L. Danforth & Associates, LLC dated July 20, 2011, as received by the Department on July 25, 2011.
2. The Town shall obtain temporary construction easements or the appropriate permission from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements/permission to DES Wetlands File No. 2011-01762 prior to construction.
3. Construction involving in-stream work shall be limited to low flow conditions.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
17. The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
22. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
23. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
25. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of a perennial stream.
2. The project design was completed before adoption of the DES stream rules. Due to funding delays monies for this project were only recently made available.
3. The project meets the intent of the General Design Criteria, Env-Wt 904.05; the structure will adequately pass the 100 year storm, incorporates stream simulation and an open bottomed span.
4. DES Staff conducted a field inspection of the proposed project on August 01, 2011.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2011-00117 PETER A MANN SIRENE FAMILY TRUST
RINDGE Monomonac Lake

Requested Action:

Amend permit to relocate the proposed beach and enlarge the beach by 130 sq ft to create a 895 sq ft perched beach.

Conservation Commission/Staff Comments:

No comments from Con Com by Jan 18, 2010

APPROVE AMENDMENT:

Permanently remove an existing seasonal dock and install a 6 ft x 24 ft seasonal dock, construct a 895 sq ft perched beach with less than 10 cubic yards of sand on Lake Monomonac, Rindge.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated July 08, 2011, as received by the NH Department of Environmental Services (DES) on July 18 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
6. The existing seasonal dock shall be completely removed prior to the installation of the new seasonal dock.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
9. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 1047.8). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
10. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.

14. The temporary access area shall be completely restored after the completion of the beach.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 296 feet of shoreline frontage along Lake Monomonac.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2011-01733 OSSIPÉE LAKE CAMPING AREA
EFFINGHAM Ossipee Lake

Requested Action:

Temporarily impact 2,300 square feet of wetlands to install sewer collection lines around existing grandfathered camps as part of an upgrade of substandard septic disposal system.

APPROVE PERMIT:

Temporarily impact 2,300 square feet of wetlands to install sewer collection lines around existing grandfathered camps as part of an upgrade of substandard septic disposal system.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership Inc. dated 7/12/2011, as received by DES on 7/21/2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours following completion of work.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The proposal represents temporary impact for necessary upgrades of an existing septic system servicing multiple camp units.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas

and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, while there is a record of an occurrence of a species of concern in the project vicinity, it is not expected to be impacted by the project.
5. The Ossipee Conservation Commission did not report.

FORESTRY NOTIFICATION

2011-01872 MEADOWBROOK VILLAGE CONDOMINIUM ASSOCIATION
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Rochester Tax Map/Lot# 220/3-1 through 3-24 & 231/61

2011-01873 CURRIER, RICHARD
DANBURY Unnamed Stream

COMPLETE NOTIFICATION:

Danbury Tax Map 415, Lot# 35

2011-01874 ROY, BRIAN
WARNER Unnamed Stream

COMPLETE NOTIFICATION:

Warner Tax Map 9, Lot# 34

2011-01879 BARNES, JERRY
WILMOT Unnamed Stream

COMPLETE NOTIFICATION:

Wilmot Tax Map 1, Lot# 18

2011-01881 BOUCHARD, BRENDA
MADBURY Unnamed Stream

COMPLETE NOTIFICATION:

Madbury Tax Map 4, Lot# 14A, B & C

2011-01882 STUHR, DAVID/SANDRA
DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION:

Dunbarton Tax Map E3, Lot# 2-37

2011-01915 HUTT, RUTH
WESTMORELAND Unnamed Stream

COMPLETE NOTIFICATION:
Westmoreland Tax Map R4, Lot# 30

2011-01918 DOWNS, RICHARD
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 419, Lot# 2 & 9

2011-01926 WEST, PAM
PLAINFIELD Unnamed Stream

COMPLETE NOTIFICATION:
PLainfield Tax Map 224, Lot# 7

2011-01927 KRAUSE, GEORGE & JONATHAN
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 12, Lot# 46

2011-01928 BEULAH FELLOWSHIP, PASTOR JOEL MELAIN
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:
Canterbury Tax Map 209, Lot# 6

2011-01929 MACKAY, JOSHUA
BRIDGEWATER Unnamed Stream

COMPLETE NOTIFICATION:
Bridgewater Tax Map 406, Lot# 22

2011-01943 MCKENNA, ROBERT/JOHNNA
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 420, Lot# 63

2011-01944 CLARK, RANDALL
EPSOM Unnamed Stream

COMPLETE NOTIFICATION:
Epsom Tax Map R9, Lot# 47-1

2011-01955 BOW SCHOOL DISTRICT
BOW Unnamed Stream

COMPLETE NOTIFICATION:
Bow Tax Map 19, Lot# 149

2011-01956 RONZIO SR, RICHARD
MILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Milford Tax Map 56, Lot# 64

2011-01963 NH DRED
MARLOW Unnamed Stream

COMPLETE NOTIFICATION:
Marlow Tax Map 406, Lot# 70

2011-01970 USDA FOREST SERVICE, PEMIGEWASSET RANGER DIST
BENTON Unnamed Stream

COMPLETE NOTIFICATION:
Benton Tax Map WMNF, Lot# US Track 59

2011-01971 USDA FOREST SERVICE, PEMIGEWASSET RANGER DIST
WENTWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Wentworth Tax Map 14, Lot# 1

EXPEDITED MINIMUM

2011-01008 SWENSON, MARK/MICHELLE
WAKEFIELD Pine River Pond

Requested Action:
Install a 6 ft x 45 ft seasonal wharf accessed from a 10 ft x 10 ft landing, install 6 ft wide access stairs to the waterbody, on Pine River Pond, Wakefield.

Conservation Commission/Staff Comments:

Con Com submitted comments about reference line, number of slips provided, and benchmarks

APPROVE PERMIT:

Install a 6 ft x 45 ft seasonal wharf accessed from a 10 ft x 10 ft landing, install 6 ft wide access stairs to the waterbody, on Pine River Pond, Wakefield.

With Conditions:

1. All work shall be in accordance with plans by K Armstrong revision dated July 08, 2011, as received by the NH Department of Environmental Services (DES) on July 25, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 6 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a seasonal wharf.
2. The applicant has an average of 173 feet of shoreline frontage along Pine River Pond.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2011-01291 HOPKINS, JANICE/JON
NEW DURHAM Merrymeeting Lake

Requested Action:

Install a 4 ft x 40 ft seasonal pier on a 20 ft right of way on Merrymeeting Lake in New Durham.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 4 ft x 40 ft seasonal pier on a 20 ft right of way on Merrymeeting Lake in New Durham.

With Conditions:

1. All work shall be in accordance with plans and materials by Jon and Janice Hopkins received by the NH Department of Environmental Services (DES) on July 20, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this right of way.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.

6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), alteration of docking facilities which provide 4 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Applicant is the holder of an easement over land of another party. The language in the Applicant's deed specifies that the Applicant shall have the right to install a pier on the right of way.
6. Rule Env-Wt 402.13, Frontage Over 75', states that the rule serves to "lessen congestion, improve public safety and navigation, protect neighboring property values, provide sufficient area for boat maneuvering, and protect health, safety, and general welfare."
7. The Applicant has submitted written statements in favor of allowing the proposed pier sign by all of the affected abutters.
8. Rule Env-Wt 402.12 is waived in accordance with the criteria and requirements of Rule Env-Wt 204.04, Criteria.

2011-01297 CALVANI, PAUL/PAMELA
TUFTONBORO Lake Winnepesaukee

Requested Action:

Construct a 400 sq ft perched beach with less than 8 cubic yards of sand and 6 ft wide access steps to provide access to the waterbody, on Lake Winnepesaukee, Tuftonboro.

Conservation Commission/Staff Comments:

No comments from Con Com by June 29, 2011

APPROVE PERMIT:

Construct a 400 sq ft perched beach with less than 8 cubic yards of sand and 6 ft wide access steps to provide access to the waterbody, on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated April 19, 2011, as received by the NH Department of Environmental Services (DES) on June 06, 2011, and compliance plan by Folsom Design Group dated April 19, 2011, as received by the Department on July 21, 2011.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 8 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

2011-01548 BALZARINI, RICHARD
ALTON Lake Winnepesaukee

Requested Action:

Install 6 ft wide seasonal access steps in the same location as a previously permitted concrete pad on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install 6 ft wide seasonal access steps in the same location as a previously permitted concrete pad on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on June 29, 2011.
2. Seasonal steps shall be removed for the non-boating season.
3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

2011-01686 COURTNEY, LAWRENCE/MARGARET
NORTHWOOD Northwood Lake

Requested Action:

Replace an existing 36 linear feet of retaining wall and 26 linear feet of retaining wall with no change in elevation, location, or configuration on Northwood Lake, Northwood.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 36 linear feet of retaining wall and 26 linear feet of retaining wall with no change in elevation, location, or configuration on Northwood Lake, Northwood.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering dated January 10, 2011, as received by the NH Department of Environmental Services (DES) on June 15, 2011.
2. Work shall be done during drawdown.
3. Repair shall maintain existing size, location and configuration.
4. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining wall that is performed in the dry during draw down.

2011-01752

LAKE SHORE PARK ASSOCIATION

GILFORD Unnamed Stream Lake Winnepesaukee

Requested Action:

Proposal to dredge and fill approximately 240 sq. ft. of stream channel for in-kind repair/replacement of a 40 foot section of 4 foot inside diameter drain pipe.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the expedited application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill approximately 240 sq. ft. of stream channel for in-kind repair/replacement of a 40 foot section of 4 foot inside diameter drain pipe.

With Conditions:

1. All work shall be in accordance with plan and narratives by Alan Kirkman/Lake Shore Park, as received by the NH Department of Environmental Services (DES) on July 22, 2011.
2. There shall be no work within the adjacent prime wetlands or the associated 100 foot prime wetland buffer.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands.
15. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES informed the applicant that if they wanted to reduce the size of the existing pipe they would need to assure the culvert would accommodate the 100 year flood frequency.
6. The proposal was revised to replace the existing culvert in-kind.
7. The applicant has indicated that there will be no work within 150 feet of a prime wetland.
8. The approval is conditioned on no work within the adjacent prime wetlands or the associated 100 foot prime wetland buffer.
9. The Gilford Conservation Commission signed the expedited application waiving their right to intervene.

2011-01795 CUSHMAN REVOCABLE TRUST
SUNAPEE Lake Sunapee

Requested Action:

Repair an existing 17 ft 6 in x 30 ft 4 in dock supported by a 16 ft x 16 ft crib, with two 4 ft x 28 ft 6 in seasonal docks connected in a "U" shaped configuration, with no work to the adjacent 64 ft wharf along the shoreline on an average of 212 feet of shoreline, Lake Sunapee, Sunapee.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 17 ft 6 in x 30 ft 4 in dock supported by a 16 ft x 16 ft crib, with two 4 ft x 28 ft 6 in seasonal docks connected in a "U" shaped configuration, with no work to the adjacent 64 ft wharf along the shoreline on an average of 212 feet of shoreline, Lake Sunapee, Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Richard Green, as received by the NH Department of Environmental Services (DES) on July 27, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no

change in size, location or configuration.

2011-01797 HOAGLAND, ANN
ALTON Winnepesaukee Lake

Requested Action:

Replace two, 3 pile ice-clusters adjacent to a 12 ft. x 36 ft. full crib dock attached to a 4 ft. x 36 ft. dock by a 15 ft. 2 in. x 4 ft. walkway in a "U" configuration on 110 ft. of frontage on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace two, 3 pile ice-clusters adjacent to a 12 ft. x 36 ft. full crib dock attached to a 4 ft. x 36 ft. dock by a 15 ft. 2 in. x 4 ft. walkway in a "U" configuration on 110 ft. of frontage on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated July 21, 2011, as received by the NH Department of Environmental Services (DES) on July 27, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-01839 BARTON'S MOTEL INC
LACONIA Lake Winnepesaukee

Requested Action:

Replace two, 3 pile ice clusters adjacent to a 10 ft x 100 ft pile supported dock, on 395 feet of frontage on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace two, 3 pile ice clusters adjacent to a 10 ft x 100 ft pile supported dock, on 395 feet of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated July 15, 2011, as received by the NH Department of Environmental Services (DES) on August 01, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-01840 GORMAN, JOHN
LACONIA Paugus Bay

Requested Action:

Install 2 PWC lifts in an existing slip within a major docking facility on Lake Winnepesaukee, in Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install 2 PWC lifts in an existing slip within a major docking facility on Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on August 1, 2011.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The seasonal PWC lifts shall be located entirely within the existing boatslip.
4. Seasonal PWC lifts shall be removed for the non-boating season.

5. The PWC lifts shall not create a navigational hazard to other slips within the docking system.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ad), installation of a PWC lift within an existing slip.

2011-01875 RED HOUSE TRUST
NEWBURY Sunapee Lake

Requested Action:

Install a 6 ft x 40 ft seasonal dock on an average of 293 ft of frontage on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Applicaiton

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock on an average of 293 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on August 04, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.
2. The applicant has an average of 293 feet of shoreline frontage along Lake Sunapee.
3. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2011-01878 BELLAVANCE REV TRUST
NEWBURY Sunapee Lake

Requested Action:

Repair a 6 ft x 6 ft crib supporting a 5 ft x 26 ft dock connected to a 7 ft x 43 ft dock with a 12 ft x 27 ft boathouse over the center, replace by hand stones fallen from beneath the 7 ft x 43 ft dock, on a frontage with an existing docking structure consisting of a 11'5" x 13' section (supported by a 10'x12' crib) and a 12'x12' section (supported by a 10'x10' crib) connected by a 24'6"x4' section on 260 ft of frontage on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Applicaiton

APPROVE PERMIT:

Repair a 6 ft x 6 ft crib supporting a 5 ft x 26 ft dock connected to a 7 ft x 43 ft dock with a 12 ft x 27 ft boathouse over the center, replace by hand stones fallen from beneath the 7 ft x 43 ft dock, on a frontage with an existing docking structure consisting of a 11'5" x 13' section (supported by a 10'x12' crib) and a 12'x12' section (supported by a 10'x10' crib) connected by a 24'6"x4' section on 260 ft of frontage on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Richard Green, as received by the NH Department of Environmental Services (DES) on August 04, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

TRAILS NOTIFICATION

**2011-01741 MANCHESTER PARKS & RECREATION, CITY OF
MANCHESTER Unnamed Stream**

COMPLETE NOTIFICATION:
Manchester Tax Map 419, Lot# 1

**2011-01920 SORLIEN, ROGER
NORTH SANDWICH Unnamed Stream**

COMPLETE NOTIFICATION:
Sandwich Tax Map R5, Lot# 23

LAKES-SEASONAL DOCK NOTIF

2011-01982 PATENAUDE 2006 TRUST, CAROLYN
HENNIKER Long Pond

COMPLETE NOTIFICATION:
Henniker Tax Map 1, Lot# 110 Long Pond

2011-01985 CHALIFOUX, STEVEN
WAKEFIELD Pine Island Pond

COMPLETE NOTIFICATION:
Wakefield Tax Map 81 Lot# 65 Pine River Pond

2011-01987 COSTELLO, MATTHEW
KINGSTON

COMPLETE NOTIFICATION:
Kingston Tax Map U4, Lot# 94 Halfmoon Pond

ROADWAY MAINTENANCE NOTIF

2011-01978 NH DEPT OF TRANSPORTATION
LITTLETON Unnamed Stream

COMPLETE NOTIFICATION:
Maintenance dredge along roadside swale

2011-01981 NH DEPT OF TRANSPORTATION
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Remove an existing 30"x 34' CMP and replace with a 24"x 40'HDPE, reconstruct headwalls

PERMIT BY NOTIFICATION

2011-01964 LASSEN, CHARLES
PORTSMOUTH Piscataqua Back Channel

Requested Action:

Remove and replace in-kind 3 pilings for an existing 8'x 30' floating tidal dock.

Conservation Commission/Staff Comments:

The Portsmouth Conservation Commission signed the PBN.

PBN IS COMPLETE:

Remove and replace in-kind 3 pilings for an existing 8'x 30' floating tidal dock.

CSPA PERMIT

2011-01143 BELIVEAU, PAUL
MANCHESTER Merrimack River

Requested Action:

Impact 465 sq ft for the purpose of constructing a new deck and installing stormwater controls.

APPROVE PERMIT:

Impact 465 sq ft for the purpose of constructing a new deck and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, LLC, dated May, 2011 and received by the Department of Environmental Services ("DES") on May 20, 2011 and planting plans received August 16, 2011.
2. No more than 34.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to not concentrate stormwater runoff or contribute to erosion.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score as defined within RSA 483-B:9, V(a)(2)(D) and required by RSA 483-B:9, V, (g), (3).
7. The vegetation proposed to be planted within the waterfront buffer shall be monitored and, if necessary, replaced to ensure 100% survival rate.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

14. Any fill used shall be clean sand, gravel, rock, or other suitable material.

15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

17. Silt fencing must be removed once the area is stabilized.

2011-01658 MONKS, IAN/TERRY
ALTON Lake Winnepesaukee

Requested Action:

Impact 4,065 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

APPROVE PERMIT:

Impact 4,065 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC, dated July 9, 2011 and received by the Department of Environmental Services ("DES") on July 13, 2011 and revised plans received by DES on August 15, 2011.
2. No more than 29.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 2,259 sq ft of unaltered area between 50 ft and 150 ft of the reference line, including areas proposed to be replanted, as delineated on plans titled, "Revised 8/15/11 Replanted Unaltered Areas" and received by DES must remain in an unaltered state.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. The applicant has proposed to decrease the impervious area within the protected shoreland by 1,192 sq ft.
3. The applicant has proposed to install stormwater controls consisting of two dry wells that will be capable of infiltrating stormwater from the new primary structure.
4. The applicant has proposed to enhance the waterfront buffer with additional vegetation.
5. The applicant has proposed to install stormwater controls, reduce impervious area, and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2011-01703 RESNICK, MITCHELL
SUNAPEE Sunapee Lake

Requested Action:

Impact 500 sq ft for the purpose of regrading activities associated with installing a pervious driveway.

APPROVE PERMIT:

Impact 500 sq ft for the purpose of regrading activities associated with installing a pervious driveway.

With Conditions:

1. All work shall be in accordance with plans by Mitchell Resnick and received by the Department of Environmental Services ("DES") on July 18, 2011.
2. No more than 27.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. No impacts shall occur to natural ground covers within the waterfront buffer.
4. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 1,180 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

2011-01734 LITTLE FAMILY 2007 TRUST, GARY/CYNTHIA LITTLE TTEE
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 5,350 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing stormwater controls.

APPROVE PERMIT:

Impact 5,350 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, dated July 19, 2011 and received by the Department of Environmental Services ("DES") on July 21, 2011.
2. No more than 12.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 2,815 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions" and received by DES must remain in an unaltered state.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip edges of the proposed structure.
4. The applicant has proposed to achieve a 20 foot greater setback from the reference line.
5. The applicant has proposed to install stormwater controls and attain a greater setback from the reference line, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2011-01751 MICHEL, THOMAS
HOLDERNESS Squam Lake

Requested Action:

Impact 3,330 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls and a new septic system.

APPROVE PERMIT:

Impact 3,330 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls and a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Sonya L. Misiaszek, dated July 19, 2011 and received by the Department of Environmental Services ("DES") on July 22, 2011.
2. No more than 17.78% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
4. The proposed stormwater treatment measures consisting of a rain garden shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 4,728 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Squam Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 1,291 sq ft.
4. The applicant has proposed to install stormwater controls consisting of a rain garden that will be capable of infiltrating stormwater from the primary structure.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the protected shoreland and therefore, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2011-01785 TAMWORTH DISTILLING & MERCANTILE LLC
TAMWORTH Swift River

Requested Action:

Impact 15,827 sq ft (1,576 sq ft of permanent impacts) for the purpose of razing the Tamworth Inn building and associated infrastructure (pool, patio, etc), removing the front and rear additions of the Garden building, and relocating the Garden building away from the southwest property line.

APPROVE PERMIT:

Impact 15,827 sq ft (1,576 sq ft of permanent impacts) for the purpose of razing the Tamworth Inn building and associated infrastructure (pool, patio, etc), removing the front and rear additions of the Garden building, and relocating the Garden building away from the southwest property line.

WAIVER APPROVED: RSA 483-B:9,V,(b),(2)(A)(iii), is waived to allow for a temporary decrease in the natural woodland area to remain in an unaltered state below the required 25%.

With Conditions:

1. All work shall be in accordance with plans by Bergeron Technical Services LLC dated July 13, 2011 and received by the NH Department of Environmental Services (DES) on July 26, 2011
2. This waiver approval is contingent upon the re-vegetation of 1,613 sq ft of altered area, located between 50 ft and 150 ft of the reference line, to revert back to an unaltered state.
3. The project as proposed will allow approximately 1,613 sq ft of the Natural Woodland Buffer beyond the primary building setback to revert to an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), post-construction, a total of 5,687 sq ft of area shall be maintained in an unaltered state post-construction.
4. The permittee or a designee shall conduct a follow-up inspection after the first growing season to review the success of the areas to be restored to an "unaltered state" and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the third and fifth years following the completion of each restored area.
5. No more than 2.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. In accordance with RSA 483-B:9, V, (i) The commissioner shall have the authority to grant waivers from the minimum standards of this section. Such authority shall be exercised if the commissioner deems that strict compliance with the minimum standards of this section will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.
2. The project as proposed would result in over a 12 percent reduction of overall imperious area within the protected shoreland and the restoration of 1,613 sq ft to revert back to an unaltered state to meet the minimum standards and remain compliant with RSA 483-B:9,V,(b).
3. The strict compliance with the minimum standards of this section will not provide material benefit to the public and will have no

material adverse effect on the environment or the natural resources of the state and therefore, the requirements for a waiver to RSA 483-B:9, V, b have been met.

2011-01800 CONSTANCE M LANE REALTY TRUST
GILFORD Lake Winnepesaukee

Requested Action:

Impact 6,575 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing stormwater controls.

APPROVE PERMIT:

Impact 6,575 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, LLC, dated July 26, 2011 and received by the Department of Environmental Services ("DES") on July 27, 2011 and revised plans received on August 18, 2011.
2. No more than 20.1% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. The vegetation proposed to be planted within the waterfront buffer and allowed to revert to areas of natural ground cover shall be monitored, and if necessary, replanted, to ensure 100% survival rate and conversion to natural ground covers.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 2,493 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions" and received by DES must remain in an unaltered state.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to attain a 21.8 foot greater setback from the reference line.
4. The applicant has proposed to install stormwater controls consisting of four drywells and infiltration trenches below the drip line of the proposed primary structure.
5. The applicant has proposed to reduce the impervious area within the waterfront buffer by 385 sq ft.
6. , and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.
7. The applicant has proposed to install sound stormwater controls, enhance the waterfront buffer and achieve a greater setback from the reference line and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2011-01810 GRANLUND, JEAN
NORTH HAMPTON Atlantic Ocean

Requested Action:

Impact 2,334 sq ft for the purpose of relocating an entrance and driveway.

APPROVE PERMIT:

Impact 2,334 sq ft for the purpose of relocating an entrance and driveway.

With Conditions:

1. All work shall be in accordance with plans by Jacquelyn Nooney Landscape, Inc, and received by the Department of Environmental Services ("DES") on July 28, 2011.
2. No more than 2.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2011-01825 MARTELL, AMY/BRADLEY
CENTER TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 7,523 sq ft in order to raze existing home, located partially in waterfront buffer, construct a new home behind the Primary

building setback and reconfigure driveway.

APPROVE PERMIT:

Impact 7,523 sq ft in order to raze existing home, located partially in waterfront buffer, construct a new home behind the Primary building setback and reconfigure driveway.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated July 28, 2011 and received by the NH Department of Environmental Services (DES) on July 29, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,808 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01841 MP-NH LLC
WASHINGTON Millen Pond

Requested Action:

Impact 5,041 sq ft in order to replace concrete piers under dwelling and construct a porch with steps on the west side of house.

APPROVE PERMIT:

Impact 5,041 sq ft in order to replace concrete piers under dwelling and construct a porch with steps on the west side of house.

With Conditions:

1. All work shall be in accordance with plans by Donald R. Mellen Surveyor, LLC dated July 13, 2011 and received by the NH Department of Environmental Services (DES) on August 1, 2011.
2. No more than 19.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 559 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01852 HANOVER, JACK
GILFORD Lake Winnepesaukee

Requested Action:

Impact 351 sq ft for the replacement in-kind of an existing non-conforming primary structure located within the waterfront buffer.

APPROVE PERMIT:

Impact 351 sq ft for the replacement in-kind of an existing non-conforming primary structure located within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Jack Hanover received by the NH Department of Environmental Services (DES) on August 2, 2011.
2. No more than 4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 6,075 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. There will be no trees removed within the waterfront buffer as a result of this project.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01889 NH DEPT OF TRANSPORTATION
PORTSMOUTH Piscataqua River

Requested Action:

Temporarily impact 38,728 sq ft for the purpose of replacing the Memorial Bridge and the Scott Avenue Bridge over the Piscataqua River. Impacts include the bridge replacements and repaving of the surrounding roads.

APPROVE PERMIT:

Temporarily impact 38,728 sq ft for the purpose of replacing the Memorial Bridge and the Scott Avenue Bridge over the Piscataqua River. Impacts include the bridge replacements and repaving of the surrounding roads.

With Conditions:

1. All work shall be in accordance with plans by McFarland Johnson dated July 2011 and received by the NH Department of Environmental Services (DES) on August 5, 2011.
2. All proposed work within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A requires a separate Wetlands Permit and is contingent on approval by the DES Wetlands Bureau.
3. No more than 62% of the project area within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Pursuant to comments provided by the New Hampshire Fish & Game (NHFG) Nongame and Endangered Species Program, if a

pair of peregrine falcons are observed building on the Memorial Bridge structure, the contractor, NHDOT, and/or the agent must contact NHFG immediately to determine a course of action.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. In accordance with comments provided by the NHFG Nongame and Endangered Species Program, impacts to peregrine falcons are unlikely as the peregrine falcons have not nested on the Memorial Bridge Structure in the last several years.

2011-01901 MEANS III, AUGUSTUS
CANAAN Canaan Street Lake

Requested Action:

Impact 3490 sq ft for the purpose of constructing 1600 sq ft addition to an existing residential dwelling and associated stormwater improvements including an infiltration swale and rain garden.

APPROVE PERMIT:

Impact 3490 sq ft for the purpose of constructing 1600 sq ft addition to an existing residential dwelling and associated stormwater improvements including an infiltration swale and rain garden.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated July 29, 2011 and received by the NH Department of Environmental Services (DES) on August 8, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 9.86% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01903 HAMEK ASSOCIATES, JOHN PRATT
MOULTONBOROUGH Squam Lake

Requested Action:

Impact 1190 sq ft (215 sq ft permanent impacts) for the purpose of constructing an addition off an existing structure within the protected shoreland.

APPROVE PERMIT:

Impact 1190 sq ft (215 sq ft permanent impacts) for the purpose of constructing an addition off an existing structure within the protected shoreland.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated August 3, 2011 and received by the NH Department of Environmental Services (DES) on August 8, 2011.
2. No more than 12.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1404 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-01954 GREEN ACRES DESIGN LLC
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 13,555 sq ft in order to construct a new residence, detached garage, driveway, and patio.

APPROVE PERMIT:

Impact 13,555 sq ft in order to construct a new residence, detached garage, driveway, and patio.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated August 10, 2011 and received by the NH Department of Environmental Services (DES) on August 11, 2011.
2. No more than 25.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,620 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2011-00438 HAMPSHIRE HOSPITALITY HOLDINGS
MEREDITH Winnepesaukee River

Requested Action:

Impact 7,360 sq ft for the purpose of redeveloping a nonconforming commercial lot.

APPROVE AMENDMENT:

Impact 7,360 sq ft for the purpose of redeveloping a nonconforming commercial lot.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the redevelopment of a lot within the protected shoreland that exceeds 30% impervious surface coverage.

AMENDMENT APPROVED: Shoreland Impact permit is amended to modify the footprint of the proposed pervious pavement parking area.

With Conditions:

1. All work shall be in accordance with revised plans submitted by Paul Fluet of Fluet Engineering associates dated July 25, 2011 and received by the Department of Environmental Services ("DES") on August 3, 2011.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 49.32% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. Upon completion of the proposed project, the submitted planting plan shall be implemented and monitored to ensure a 100% planting survival rate.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Lake Winnepesaukee and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 2,519 sq ft.
4. The applicant has proposed to infiltrate stormwater via a new pervious asphalt parking area.
5. The applicant has proposed significant additions of native plantings within the waterfront buffer.
6. The applicant has proposed to improve stormwater management by decreasing impervious area within the protected shoreland and constructing a parking area with pervious technologies and improve nutrient attenuation and wildlife habitat by planting significant levels of additional, native vegetation, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.